

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

DEBRA MANN and HUSBAND,  
CHARLES M. MANN

PLAINTIFFS

V.

CIVIL ACTION NO. 5:05CV231DCB-JMR

AMSOUTH BANK

DEFENDANT

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AGREED ORDER OF DISMISSAL WITH PREJUDICE

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THIS DAY this cause came on to be heard on the joint motion of the parties, *Ore Tenus*, to dismiss this action with prejudice and the parties having announced that these matters have been fully compromised and settled and that there remain no issues to be litigated by or between the parties, nor adjudicated or determined by the Court, and all parties have consented to the entry of this Agreed Order of Dismissal and agree that this action should be dismissed with prejudice, with each party to bear its own costs.

The Court being further advised in the premises finds that the Motion *Ore Tenus* to dismiss this action with prejudice is well-taken and should be sustained.

IT IS, THEREFORE, HEREBY ORDERED AND ADJUDGED that this action be, and the same hereby is, dismissed with prejudice with each party to bear its own costs.

**SO ORDERED AND ADJUDGED** this the 8<sup>th</sup> day of August, 2007.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE

AGREED AND APPROVED BY:

/s/ Lucien C. Gwin, III  
Lucien C. ("Sam") Gwin, III, Esq. (MSB #5087)  
Wayne Smith (MSB #7501)  
Attorneys for Plaintiffs

/s/ J. Wade Sweat  
J. Wade Sweat (MSB #9933)  
Marisa C. Atkinson (MSB #101265)  
Attorneys for Defendant